## Remarks/Arguments

Applicant wishes to thank the Examiner for his courtesy extended during the Examiner Interview of January 20, 2004.

Claims 1-15 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 5,905,063 (the '063 Patent). Claims 1-15 are canceled herein. Therefore, the prior art rejections of claims 1-15 as being anticipated by the '063 patent should be removed.

New claims 16-31 are added herein. It is submitted that new claims 16-31 raise no new issues and do not require the Examiner to conduct an additional search, since the claims merely clarify the subject matter already presented. For example, dependent claims 17-19, 21, 23-28, and 30 contain similar subject matter to that previously presented in canceled claims 1-15. No new matter is being introduced in submitting these claims.

As was discussed in our recent interview, new claims 16-31 include a recitation to the molar ratio. Independent claims 16, 29, and 31, and claims 17-28 and 30 which depend therefrom, recite, *inter alia*, "a buffer comprising an acid selected from a weak acid and a protonated base and a base selected from the group consisting of an amine, ammonia, ammonium hydroxide and an alkyl ammonium hydroxide in a molar ratio of the acid to the base that is substantially 1:1." The aforementioned recitation restates a term as recited in the specification. The specification, at page 3, lines 18-26, states the following:

> Buffers are typically thought of as weak acids and the widest buffering range against either an acid or a base which is about one pH unit on either side of the $pK_a$ of the weak acid group is achieved by having equimolar concentrations of the acid and the conjugate base;
> $HB <> H^+ + B^-$; $K_a=[H^+][B^-] / [HB]$, when $[B^-] = [HB]$, then $pH=pK_a$
> The conjugate base pair is HB and B-, where B- is the conjugate base. One can also use a protonated base as the weak acid and achieve a buffered system;
> $BH^+ <> H^+ + B$; $K_a=[H^+][B] / [BH^+]$, when $[B] = [BH^+]$, then $pH=pK_a$
> Here the conjugate acid base pair is BH+ and B, where B is referred to as the conjugate base. Setting the pH is most easily accomplished by having an equimolar ratio of the acid and conjugate base for the acid (or protonated base) with the appropriate $pK_a$.

The '063 patent does not disclose a composition having a buffer, particularly a "buffer comprising an acid selected from a weak acid and a protonated base and a base selected from the group consisting of an amine, ammonia, ammonium hydroxide and an alkyl ammonium hydroxide in a molar ratio of the acid to the base that is substantially 1:1."

As we discussed, the composition may optionally comprise, or comprises, an organic, polar solvent that is miscible in water such as the composition in independent claims 16, 29, and 31. Support for this claim recitation is provided, for example, in the specification at page 6, lines 16-28, Examples 1 through 5, and original claims 5 through 7.
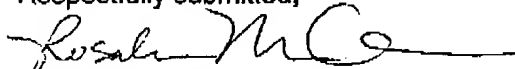
Dependent claims 20 and 22 provide particular embodiments of weak acids or protonated bases, respectively. Support for these embodiments are provided in the specification, for example, in Table I and page 6, lines 5-11.

## SUMMARY

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned Attorney at the telephone number listed below. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Respectfully submitted,

Rosaleen P. Morris-Oskanian
Registration No. 47,321
7201 Hamilton Boulevard
Allentown, PA 18195-1501
(610) 481-8169

encl.:
Petition for Three-Month Extension of Time
Fee Calculation Sheet